

House Judiciary Committee Amendment #1

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 288

House Bill No. 298*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-50-102, is amended by deleting subpart (50) in its entirety and substituting instead the following:

(50) "Violation" means a conviction except as otherwise provided in Tennessee Code Annotated, Section 55-50-504(h).

SECTION 2. Tennessee Code Annotated, Section 55-50-504, is amended by deleting the existing language of subsection (h) and by substituting instead the following:

(h)

(1) The vehicle used in the commission of a person's violation of § 55-50-504, when the original suspension or revocation was made for a violation of § 55-10-401, or a statute in another state prohibiting driving under the influence of an intoxicant, is subject to seizure and forfeiture in accordance with the procedure established in title 40, chapter 33, part 2. The department of safety is designated as the applicable agency, as defined by § 40-33-202, for all forfeitures authorized by this subsection.

(2) For purposes of clarifying the provisions of this subsection and consistent with the overall remedial purpose of the asset forfeiture procedure, a vehicle is subject to seizure and forfeiture upon the arrest or citation of a person for driving while such person's driving privileges are cancelled, suspended or revoked. A conviction for the criminal offense of driving while such person's driving privileges are cancelled, suspended or revoked is not required.

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SECTION 3. This act shall take effect upon becoming a law, the public welfare
requiring it.

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